

**IN THE US DISTRICT COURT FOR THE EASTERN DISTRICT
OF OKLAHOMA**

RACHEL AINSWORTH,

Plaintiff,

vs.

**UNITED STATES of AMERICA
ex rel. THE DEPARTMENT of
HEALTH and HUMAN SERVICES,
PUBLIC HEALTH SERVICES,
INDIAN HEALTH SERVICES, and
CHOCTAW NATION HEALTH
CARE CENTER, and CHOCTAW
NATION HEALTH SERVICES,**

Defendants.

Case No. CIV 11-418-RAW

PLAINTIFF'S AMENDED PRETRIAL DISCLOSURES

To: DEFENDANT, United States of America, through its attorney of record, Susan Stidham
Brandon: Asst. US Attorney, 1200 West Okmulgee Street, Muskogee, OK 74401.

Plaintiff, Rachel Ainsworth, makes these pretrial disclosures as required by Federal Rule of
Civil Procedure 26(a)(3).

A. Witnesses

1. Plaintiff expects to call the following witnesses at trial:

a. Plaintiff, Rachel Ainsworth

b. Dixie Hammonds

c. Sally L. Gaines, MSN, RN
6007 Linden Lane
Amarillo, TX 79106

d. Dr. Medhi Adham
Southwest Orthopedics
8100 S. Walker
Oklahoma City, OK 73139

e. Nathaniel Perryman Collins, JR., M.D.
15611 Kellan Ct.
Cypress, TX 77429
(713)410-5965

f. (Employees at CNH)
Dr. Floyd K. Goodman, M.D.
N. Arnold, RN
L. Noggle, LPN
A. Murdock, RN
Marty Vaughn, RN
S. White, R.N.
Choctaw Nation Hospital
1 Choctaw Way
Talihina, OK 74571
(918) 567-7000

g. All witnesses produced by Defendant

*Plaintiff reserves the right to amend this witness list.

2. Plaintiff may call the following witnesses if the need arises:

An Economist to be named at a later date.

B. Depositions

3. Plaintiff expects to call the following witnesses by deposition:

a. Plaintiff, Rachel Ainsworth

b. Dixie Hammonds

c. Sally L. Gaines, MSN, RN
6007 Linden Lane
Amarillo, TX 79106

d. Dr. Medhi Adham
Southwest Orthopedics

8100 S. Walker
Oklahoma City, OK 73139

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g. All witnesses produced by Defendant

*Plaintiff reserves the right to amend this witness list.

C. Exhibits

5. Plaintiff expects to offer the following exhibits:

Plaintiff's medical records

Plaintiff's earning / financial statements

6. Plaintiff may offer the following exhibits if the need arises:

Depositions of witnesses

Medical Expert's report

D. Damages

7. Plaintiff underwent surgery at the Choctaw Nation Health Center on May 27, 2008 for an abdominal hysterectomy. Post-operatively, Plaintiff received an intravenous push of Phenergen for nausea. As a result, Plaintiff's left hand was permanently damaged and Plaintiff suffered loss of use of her left hand. Plaintiff claims the following damages:

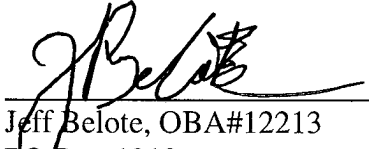
- a. Physical and mental pain and suffering, both past and future in the amount of \$250,000.00;
- b. Physical impairment and loss of use of left hand in the amount of \$250,000.00;
- c. Lost earnings and loss of earning capacity in the amount of \$250,000.00.

The total damages Plaintiff has incurred is in the amount of \$750,000.00.

RACHEL AINSWORTH,

Petitioner,

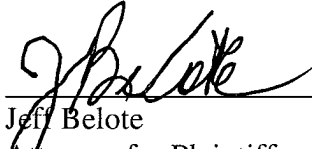
BY:



Jeff Belote, OBA#12213
PO Box 1910
McAlester, OK 74502
(918) 423-3344
(918) 423-3349 fax
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of June, 2012, I electronically filed the foregoing "Plaintiff's Amended Rule 26 Disclosures" with the Clerk of the Court using the EFC system. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants: Susan Stidham Brandon, Attorney for the United States of America, Assistant United States Attorney, email: Susan.Brandon@usdoj.gov



Jeff Belote
Attorney for Plaintiff